

Recommend: ☒ Approval

☐ Disapproval

(if disapproval is checked, please complete the bottom of page 2)

- ☒ Sufficient amount of equity
- ☐ Lot Book Report confirming title (dated on or after date on which surety recorded Deed of Trust)
- ☒ Property Appraisal (assessed value or signed written appraisal of current market value)
- ☒ Recorded Deed of Trust naming the Clerk of the U.S. District Court, herein called BENEFICIARY

On 7-13-17 5:24b
Date Extension

By: BILAL A. ESSAYLI
Assistant U.S. Attorney

Signature: [Signature]

FILED

2017 JUL 13 AM 10:37

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

BY: [Signature]

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA	CASE NUMBER 5:17MJ323-DUTY
v. Jaycob Tyler Kutzera	AFFIDAVIT OF SURETY(IES) (PROPERTY)
DEFENDANT(S).	

I (We), the undersigned surety(ies), state on oath:

That I (we) permanently reside within the jurisdiction of the United States District Court for the Central District of California, or in Apple Valley, CA (City, State), at the address(es) indicated; that I(we) am(are) the legal owner(s) of the property described below and the representations as to my (our) ownership and equity in said property are true and correct;

That I (we) am(are) worth the amount specified in the bond, to wit: \$ 100,000.00, over and above my(our) just debts and liabilities and exclusive of property exempt from execution.

I (We) further state that I (we) understand the provisions of the bond of the defendant named above for which this affidavit supports and I (we) acknowledge and agree that I (we) and my (our) personal representatives are bound, jointly and severally with the defendant and any other sureties, to pay to the United States of America the bond amount specified in the event the bond is forfeited.

I (We) further promise not to transfer or encumber said property until final disposition of this case and exoneration of the subject bond by Order of the Court.

I (We) hereby subject said funds, and agree to be bound as a condition of this bond, by the provisions of Local Criminal Rule 46-6, as set forth below in this document.

I (We) understand that it is my (our) obligation to inform the Court and counsel of any change in residence address or employment of the defendant immediately upon such a fact becoming known to me (us).

I (We) further agree and understand that, unless otherwise ordered by the Court, the bond for which this affidavit is supports is a continuing bond (including any proceeding on appeal or review) which shall continue in full force and effect until such time as the undersigned is (are) duly exonerated by Order of the Court.

LOCAL CRIMINAL RULE 46-6 - BOND - SUMMARY ADJUDICATION OF OBLIGATION

A bond of undertaking presented for filing shall contain consent and agreement of the principal and surety that in case of default or contumacy on the part of the principal or surety, the Court may upon ten (10) days notice proceed and summarily render a judgment in accordance with the obligation undertaken and issue a writ of execution upon such judgment. An indemnitee or party in interest seeking a judgment on a bond or undertaking shall proceed by Motion for Summary Adjudication of Obligation and Execution. Service may be made on corporate surety as provided in 31 U.S.C. §9306.

AFFIDAVIT OF SURETY(IES) (PROPERTY)

Address and description of property: 7373 Judy Ln. Apple Valley CA 92308
WEST 1/2, SOUTHWEST 1/4, NORTHWEST 1/4, SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 4 NORTH,
R 3 WEST, 5 ACRES.

Each surety must indicate the form in which title to property is held and if there are other title holders, each must sign as surety and furnish pertinent information.

Susan Gayle Vergilio 7373 Judy Ln.
Print Name of Surety Address of Surety
X X X - X X - 1 3 2 5 Apple Valley CA 92308
Social Security Number (Last 4 digits only) City, State, Zip Code

☐ Sole Holder or Owner ☐ Tenancy in Common ☒ Joint Tenancy ☐ Other: _____

Percentage of Present Fair Market Total Amount of
Interest of Surety % 50 Value of Property \$ 250,000.00 Encumbrances and/or All Liens \$ 100,000.00
(supporting documentation attached) (list below separately)

Thinkwise 2441 N Sierra Way San Bernardino CA 92405

Name of Holder of 1st Encumbrance Address, City, State, Zip Code

Name of Holder of 2nd Encumbrance Address, City, State, Zip Code

Name of Holder of 3rd Encumbrance Address, City, State, Zip Code

Total Equity \$ 150,000.00 Homesteaders ☐ Yes ☒ No Amount of Exemption \$ N/A
(after deduction of encumbrance/liens) Exemption Filed?

0 N/A
Number of other bonds or undertakings Amount of other bonds or undertakings

Has the indicated property previously been USED as collateral? ☐ Yes ☒ No
If yes, list: _____

Was appraisal given by a LICENSED appraiser? ☒ Yes ☐ No. If not, what was basis of appraisal? _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 6th Day of July 2017

Susan Vergilio Mother of Defendant
Signature of Surety Susan Gayle Vergilio Relationship of Surety

Signature of Surety Relationship of Surety

Above Surety Approved: [Signature] Dated: 7-13-17
United States Magistrate Judge

RECOMMEND DISAPPROVAL OF THIS BOND FOR THE FOLLOWING REASON(S):

- ☐ Discrepancy in title documentation ☐ Insufficient documentation to establish value of property
☐ Amount of liens and/or encumbrances reduces value of property to less than required amount
☐ Other (Explain):

Dated: _____ Assistant U.S. Attorney